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January 31, 1995

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William F. Caton, Secretary
Federal Communications Commission
1919 M Street, NW
Washington, DC 20554

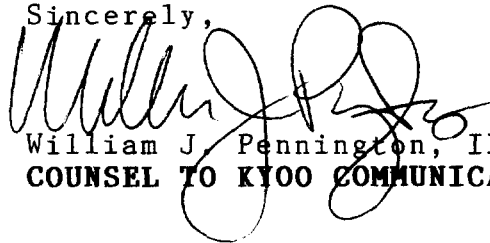
RE: Allotment of New FM Channel to Stockton, Missouri.

Dear Mr. Caton:

Transmitted herewith, on behalf of KY00 Communications, is an original and four copies of a "Petition for Rule Making" seeking the allotment of a new FM Channel to Stockton, Missouri.

Should there be any questions regarding this matter, please do not hesitate to contact the undersigned.

Sincerely,



William J. Pennington, III
COUNSEL TO KY00 COMMUNICATIONS

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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In the Matter of)
)
Amendment of Section 73.202(b)) MM Docket No.
FM Table of Allotments) RM-
(Stockton and Greenfield)
Missouri))

To: Chief, Policy and Rules Division

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PETITION FOR RULE MAKING

KY00 Communications ("KC"), by their counsel, hereby respectfully requests that the Commission amend Rule 73.202(b), the FM Table of Allotments, to (i) delete FM Channel 299A from Greenfield, Missouri and; (ii) allot FM Channel 299A to Stockton, Missouri as its first aural service.

In support of this allocation request, the following information is respectfully submitted:

1. As is demonstrated in the attached Exhibit 1, Channel 299A may be allotted to Stockton when site restricted 8.5 kilometers west of the community if the channel is deleted from Greenfield.

2. The Commission on April 6, 1994 canceled the license and deleted the call sign of FM station KXBR at Greenfield. Station KXBR(FM) had been off the air for a number of years and all of the station's equipment had been removed from both the studio and antenna site for an extended period of time. The former licensee

of Station KXBR(FM) had made no attempt to return the station to the air during this time period. The petitioner has no knowledge of the former licensee attempting to sell, or any party willing to make an offer to purchase, the facility so that it could return to the air. In effect, the channel at Greenfield was but a vacant allotment.

3. When last in operation, Station KXBR(FM) operated on Channel 228A (93.5 MHz.). During the long period that the station was off the air, the Report and Order in MM Docket Number 92-49 substituted Channel 299A for Channel 228A at Greenfield and modified the license for Station KXBR(FM). Station KXBR(FM) has never operated on FM Channel 299A.

4. All of the past licensees of this station have failed to make the facility a business that could support itself, despite it being the only aural service in the community. Greenfield (1990 population 1,416) is situated some 32 miles from downtown Springfield, Missouri, the area's only retail trading area. All of the past operators of the station quickly found out that the community of Greenfield and Dade County (1990 population of 7,449) could not financially support the radio station, and were forced to try to program to, and market the station, as a Springfield facility. Being a Class A facility, the Greenfield station could not provide the requisite signal over the Springfield market to be considered a serious factor and thus could not produce the advertising revenue needed for the station to survive. Since the Greenfield station discontinued

broadcasting, the Springfield area has seen an explosion of new broadcast stations and facility upgrades that provide competitive services to market, making the economic viability of an FM station operating at Greenfield practically impossible.

5. The petitioner proposes to allot Channel 299A to Stockton as a first aural service. Although Stockton is not much larger than Greenfield in population, (1990 population 1,579) the community is far removed from any metropolitan area or town which, not only would drain the economic viability of Stockton but limit the advertising revenue that a station operating at that location could garner. Stockton, the county seat of Cedar County (1990 population 12,093 persons), can support a new FM facility. The allotment of Channel 299A to Stockton would provide a much needed new broadcast voice to an area currently without much existing service.

6. If Channel 299A is allotted to Stockton, the permissible antenna site area for the station operating in that community would be ample. The area where the antenna could be located is close enough so that a station operating on Channel 299A should have no difficulty placing a 70 dBu service contour over the entire community of Stockton. Complete line of sight coverage would also be provided the community of Stockton.

7. If the Commission allots Channel 299A to Stockton, KC will immediately tender for filing an application with the Commission seeking a construction permit for the new station. If granted the construction permit, KC will promptly build the new

facility at Stockton.

Based upon the foregoing, KC hereby respectfully requests that the Commission modify its FM Table of Allotments to (i) delete Channel 299A from Greenfield, Missouri and; (ii) allot Channel 299A to Stockton, Missouri as its first aural broadcast service.

Respectfully submitted,

KYOO COMMUNICATIONS

By: 

William J. Pennington, III
Its Attorney

5519 Rockingham Road-East
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January 31, 1995

EXHIBIT 1

CHANNEL ALLOCATION STUDY

Stockton, Missouri

REFERENCE
 37 42 0 N
 93 54 0 W

CLASS A

DISPLAY
 SEARCH DATE
 01-30-95

----- CHANNEL 299 -107.7 MHz -----

CALL	CH#	CITY	STATE	BEAR'	D-KM	R-KM	MARGIN
ALOPEN	299A	Greenfield	MO	178.2	34.85	115.0	-80.15 *
KCLQ	300C2	Lebanon	MO	91.3	106.95	106.0	0.95 <
KMAJFM	299C	Topeka	KS	309.9	229.60	226.0	3.60
KOTT.C	299A	Otterville	MO	37.1	143.67	115.0	28.67
KKTZ.C	298C1	Mountain Home	AR	140.1	170.42	133.0	37.42
ALOPEN	298C1	Ketchum	OK	233.4	171.87	133.0	38.87
KEZA	300C	Fayetteville	AR	183.1	205.23	165.0	40.23
KISF	297C	Lexington	MO	359.0	148.49	95.0	53.49
KGND	298C2	Ketchum	OK	225.6	160.49	106.0	54.49
KMOQ	296A	Baxter Springs	KS	228.2	95.47	31.0	64.47
KKOWFM	245C1	Pittsburg	KS	242.0	91.73	22.0	69.73